

Hampton Roads Third Crossing PPTA Project Responses to Questions

1. Who is responsible for seeking the environmental release permit for the immersed tunnel portion (either VDOT or Proposer?)

The entity responsible for obtaining all permits, including the environmental release permit, for the project is the proposer.

2. What's the timing and procedure for obtaining this permit?

The timing associated with obtaining the environmental release permit will be at the proposer's own discretion and consistent with the proposed schedule of activities. The procedure, however, should be carried out in accordance with the most recent guidelines for the State Individual/Standard Permit Process.

3. Are there any constraints regarding dust emission or protection to marine species?

The proposer is responsible for identifying and confirming any constraints regarding dust emission or protection to marine species. Therefore, the proposer should consult with Army Corps of Engineers, Virginia Marine Resource Commission, Virginia Department of Environmental Quality, and any other regulatory agencies having regulatory authority over the protection of marine species to determine what constraints are associated with the permit conditions.

4. In case of dredging, are there specific permits necessary? How about disposal of dredged material or access to dumping areas?

Typically, permits are required for dredging, disposal of dredging, and for access and use of disposal sites. The proposer's plan of action will directly impact the permit requirements; therefore it is the proposer's responsibility for determining project specific permit requirements for all activities associated with dredging or any environmental impact in consultation with the applicable local, state and federal regulatory agencies.

5. Who's in charge of obtaining the above necessary permits?

Refer to the response given for question #1.

6. In case of blasting (under or above water), are there permits necessary regarding timing, frequencies or explosive quantities, etc.?

Typically, permits are required in regards to timing, frequencies and/or explosive quantities. The proposer's plan of action will directly impact the permit requirements; therefore it is the proposer's responsibility for determining project specific permit requirements for its proposed actions in consultation with the applicable local, state and federal regulatory agencies.

Recent projects in the United States and for the Woodrow Wilson Bridge project in Virginia have been required to mitigate blast or vibration (such as pile driving) induced stress wave damage to marine life.

7. **Item 4.1.1.3.4** - Clarification required. I believe VDOT is asking for experience at Craney Island and experience similar to the type of work anticipated at Craney Island, but the wording doesn't quite reflect this.

The interpretation of the question is correct. VDOT is asking for both pieces of information because Craney Island is essentially a man made peninsula constructed of dredging materials. VDOT anticipates that there will be a number of geotechnical, design and construction issues that will need to be considered during the installation of infrastructure components, including but not limited to bridge foundations or roadway embankments. Therefore, VDOT's intention for Item 4.1.1.3.4 is to seek information related to the background and experience each proposer's team may have in the design and construction of facilities in the area of Craney Island, or for similar facilities.

8. **Item 4.1.3.2** - Will VDOT assist with the location of an alternate compensation site?

VDOT will not provide assistance with the location of an alternate compensation site. The proposer is responsible for determining and obtaining the project permit requirements for its proposed actions, as well as any avoidance, minimization and mitigation requirements resulting from said actions.

9. What budget does VDOT anticipate for its Owner's contingency?

Each proposer shall include in their plan of finance an Owner's Contingency Budget of 10% of the estimated construction cost.

10. What budget does VDOT anticipate for its Owner's project management costs?

Each proposer shall include in their plan of finance an Owner's Project Management Budget of 5% of the estimated construction cost.

The following questions refer to the "Environmental Recommendations and Responsibilities" attachment to the RFDP

11. Section on "Threatened & Endangered Species"

Will FHWA still be considered the sponsoring agency relative to the Endangered Species Act? That is, does Section 7 of the ESA still apply or, because this is a "private" project does Section 10 of the ESA apply?

If federal funds are used, FHWA could possibly be the lead federal agency. However, due to the fact federal permits will be a requirement of this project, the Corps of Engineers could also possibly be the lead federal agency. As noted earlier in this document, it will be the responsibility of the proposer to determine and obtain all permits and clearances required to prosecute the proposer plan of action. The proposer is responsible for coordinating with all local, state and federal agencies to determine the lead federal agency in accordance with its proposed actions.

Upon completion of Section 7 coordination, the applicant (proposer) may receive a Section 10 permit for incidental take. However, this determination will be the responsibility of the proposer to coordinate with the Fish & Wildlife Service.

12. Section on "Wetlands"

Is the "agreement" with the Norfolk COE District relative to sequential permitting still in effect or has the COE changed its permitting procedures?

VDOT is not aware of an "agreement" with the Norfolk COE District relative to sequential permitting. The proposer is responsible for consulting the COE regarding any changes in its permitting procedures.